

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STONEY LEE SCHAEFFER,	)	
	)	Civil Action No. 06 - 1516
Plaintiff,	)	
	)	
v.	)	Judge Arthur J. Schwab
	)	Magistrate Judge Lisa Pupo
CORRECTIONAL OFFICER, SGT. W.	)	Lenihan
SCHAMP; CORRECTIONAL OFFICER,	)	
OFFICER - CYR	)	
	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

The above captioned case was initiated by the filing of a Motion to Proceed In Forma Pauperis (doc. no. 1) on November 14, 2006, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Magistrate Judge Lisa Pupo Lenihan filed a Report and Recommendation on May 28, 2008 (doc. no. 28), recommending that the Defendants' Motion for Summary Judgment (doc. no. 23) be granted. Plaintiff was served with the Report and Recommendation and advised that he had until June 16, 2008 to file objections to the Report and Recommendation. No objections have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

**AND NOW**, this 25<sup>th</sup> day of June, 2008;

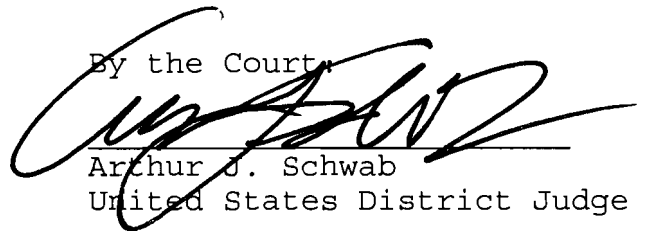
**IT IS HEREBY ORDERED** that the Defendants' Motion for Summary Judgment (doc. no. 23) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (doc. no. 28) of Magistrate Judge Lenihan dated May 28, 2008, is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court,

A handwritten signature in black ink, appearing to read 'Arthur J. Schwab', is written over a horizontal line.

Arthur J. Schwab  
United States District Judge

cc: Lisa Pupo Lenihan  
United States Magistrate Judge

Damon Jones  
AY-2983  
SCI Greene  
175 Progress Drive  
Waynesburg, PA 15370